

**SUPREME COURT MINUTES
MONDAY, OCTOBER 26, 1998
SAN FRANCISCO, CALIFORNIA**

S062156 Dan Briggs et al., Appellants

v.

Eden Council for Hope and Opportunity et al., Respondents

Petitioner's Request For Judicial Notice Filed In Conjunction With A Petition For Review Of Decision By The Court Of Appeal, First Appellate District, Division One, filed June 17, 1997, is denied. (*California Teachers Assn. v. San Diego Community College Dist.* (1981) 28 Cal.3d 692-700.)

Respondent ECHO's Request For Judicial Notice Of Pamela Ford's HUD Complaints, filed April 30, 1998, is denied. (*Mangini v. R.J. Reynolds Tobacco Co.* (1994) 7 Cal.4th 1057, 1064-65.)

Respondent ECHO's Request For Judicial Notice, filed December 22, 1997, are granted in part and denied in part. In particular, the requests that we judicially notice the Assembly Judiciary Committee's analysis of SB 1296 (Exh. 1-B) is granted. (Evid. Code §§ 452, subd. (c); 454-459.) The requests that we judicially notice the Legislative Counsel's digest, text and bill history of SB 1296; a letter from Senator Lockyer to Governor Wilson; a declaration of Senator Lockyer; what appears to be a draft amendment to SB 1264; a memorandum from ECHO's counsel to counsel for the Senate Judiciary Committee; an Assembly Judiciary Committee, Subcommittee on Administration of Justice, report (Exhs. 1-A, 1-C, 2-A, 2-B, 2-C, 2-D) are denied. (*Mangini v. R.J. Reynolds Tobacco Co.* (1994) 7 Cal.4th 1057, 1064-65; *California Teachers Assn. v. San Diego Community College Dist.* (1981) 28 Cal.3d 692, 699-700; Evid. Code §§ 350, 454.)

S074200 Eloise Anderson, in her Capacity as Director of the
2nd Dist. Department of Social Services, State of California, Petitioner
B126094 v.

Div. 4 Los Angeles County Superior Court, Respondent
Maria Lopez, Real Party in Interest

Pursuant to written request of counsel for petitioner, the above entitled petition for writ of mandate and request for immediate stay are ordered withdrawn.

2nd Dist. People, Respondent

B114406 v.

Div. 1 Alfonso A. Cortez, Appellant

The time for granting or denying review on the court's own motion is hereby extended to and including November 25, 1998, or the date upon which review is either granted or denied. Rule 28(a)(1), California Rules of Court.

5th Dist. In re Garey Frederick Grannan

F031708 v.

Habeas Corpus

The time for granting or denying review on the court's own motion is hereby extended to and including November 25, 1998, or the date upon which review is either granted or denied. Rule 28(a)(1), California Rules of Court.

Orders were filed in the following matters extending the time within which to grant or deny a petition for review to and including the date indicated, or until review is either granted or denied:

A076153/S073044 People v. Earvin Eugene Laws - November 25, 1998.

A078882/S073001 People v. John Maddalone - November 25, 1998.

A081975/S072997 People v. Mendocino County Superior Court; Christopher Joseph Brown, RPI - November 25, 1998.

A083406/S073018 In re James Jacob Burggraf on Habeas Corpus - November 25, 1998.

A083466/S073123 In re Armando Abreu on Habeas Corpus - December 3, 1998.

B104869/S073053 People v. Leland Harold Chambers - November 30, 1998.

B112054/S073105 In re Juan Carlos Cortez on Habeas Corpus; People v. Juan Carlos Cortez; And Companion Case - December 2, 1998.

B113198/S072981 People v. Jorge Felipe Rodriguez - November 25, 1998.

- B114858/S073024 People v. Andrew Lee Truesdale - November 25, 1998.
- B116765/S073050 People v. Jessilito Sarmiento Regis - December 3, 1998.
- B124778/S073038 Lauro Rocha Gaxiola v. Los Angeles County Superior Court; People, RPI - November 30, 1998.
- B124956/S073126 Leo Nordine et al. v. Los Angeles County Superior Court; John Zimmerman et al., RPIs - December 3, 1998.
- C023065/S073062 People v. Olga Claudia Rivera - November 30, 1998.
- C024270/S073093 Paul C. Acree et al. v. General Motors Acceptance Corporation - December 2, 1998.
- C025212/S073104 People v. Dennis Mulvey - December 2, 1998.
- C025322/S073097 People v. Elden Gene Hardcastle - November 30, 1998.
- C025473/S072962 People v. Gilbert Anthony Chavez et al. - December 1, 1998.
- C030175/S073031 People v. San Joaquin County Superior Court; Jose Francisco Zamudio, RPI - November 25, 1998.
- D027380/S073020 People v. Timothy McClure - November 30, 1998.
- E019336/S073067 People v. Timothy Craig Mora - December 1, 1998.
- E020253/S073007 In re Steven Eric Craig on Habeas Corpus; People v. Steven Eric Craig; And Companion Case - November 25, 1998.
- G020449/S073111 People v. Richard Andrew Simpson - December 3, 1998.
- G023338/S073081 In re William K. Doyle on Habeas Corpus - December 2, 1998.
- F026901/S073045 People v. Ronald Wright - November 30, 1998.
- H014782/S073028 People v. Jonathan Lamont Williams et al. - December 3, 1998.

H016132/S073068 People v. Chhayarith Reth - December 1, 1998.

H018895/S073008 In re Lisa Gale Harlow on Habeas Corpus - November 30, 1998.

S016718 People, Respondent

v.

Steven David Catlin, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to and including December 22, 1998.

S017869 People, Respondent

v.

Kristin William Hughes, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to and including December 28, 1998.

S020244 People, Respondent

v.

Jesus Ciane Hernandez, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including December 21, 1998.

S024349 People, Respondent

v.

Peter Sakarias, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to and including November 30, 1998.

S024642 People, Respondent

v.

Michael Ray Burgener, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including December 21, 1998.

S033436 People, Respondent

v.

Albert Lewis and Anthony Cedric Oliver, Appellants

On application of appellant **Albert Lewis** and good cause appearing, it is ordered that the appellant is granted to and including November 2, 1998, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S037625 People, Respondent

v.

Lanell Craig Harris, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including December 22, 1998, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S040704 People, Respondent

v.

Brian David Johnsen, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including December 22, 1998, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S062258 In re Sirhan Bishara Sirhan

on

Habeas Corpus

On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file the informal response is extended to and including November 20, 1998.

S065934 In re Anderson Hawthorne
 on
 Habeas Corpus

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's informal response to the petition for writ of habeas corpus is extended to and including December 21, 1998.

S068360 In re William A. Noguera
 on
 Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to and including November 25, 1998.

S068655 In re Daniel Steven Jenkins
 on
 Habeas Corpus

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's informal response to the petition for writ of habeas corpus is extended to and including November 23, 1998.

S070028 People, Appellant
 v.
 Andrew James Allen, Respondent

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to and including November 12, 1998.

S070227 In re Noel Jackson
 on
 Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to and including November 30, 1998.

S071279 People, Respondent

v.

Leroy Clark and Willie L. Robey et al., Appellants

It is hereby ordered that the order of October 5, 1998, appointing David Kelly to represent the appellant **Willie L. Robey** on his appeal in this Court, is VACATED.

Upon request of **Willie L. Robey** for appointment of counsel, Melissa Hill is hereby appointed to represent appellant on his appeal now pending in this court.

Bar
Misc.
4186

In the Matter of the Application of the Committee of Bar Examiners of the State of California for Admission of Attorneys

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(LIST OF NAMES ATTACHED TO ORIGINAL ORDER)

S074168

In re **Walter B. Lebowitz** on Reinstatement

Upon petition for reinstatement and recommendation of the State Bar of California, it is ordered that **Walter B. Lebowitz** be reinstated as a member of the State Bar of California upon payment of the fees and taking the oath required by law.

In the Matter of the Selection of the Acting Chief Justice and Chair of the Judicial Council

Pursuant to article VI, section 2 of the California Constitution, and notwithstanding the order In the Matter of the Selection of the Acting Chief Justice (October 31, 1997), the Honorable Marvin R. Baxter, associate justice and member of the Judicial Council, is selected to serve as acting Chief Justice and Chair of the Judicial Council for matters on which the Chief Justice is unable to act on October 26, 1998.

Dated: October 26, 1998

Ronald M. George
Chief Justice of California

**SUPREME COURT CALENDAR
SACRAMENTO SESSION
NOVEMBER 9 and 10, 1998
(First Amended)**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Library and Courts Building, Sacramento, California, on November 9 and 10, 1998.

MONDAY, NOVEMBER 9, 1998 - 1:30 P.M.

S073756 In re the Governor's Letter Requesting the Supreme Court of California to Assume Control Over Attorney Discipline System; In re the State Bar of California Request for Special Regulatory Assessment

TUESDAY, NOVEMBER 10, 1998 - 9:00 A.M.

S061240 Lewis v. Superior Court, County of San Bernardino
 (Green et al., RPI's)
S067672 People v. Sargent
S052136 Hubbart v. Superior Court, County of Santa Clara; People

1:30 P.M.

S062156 Briggs v. Eden Council for Hope and Opportunity
S066175 People v. Mendez
S059214 Chevron U.S.A. v. Workers' Compensation Appeals Board

GEORGE
Chief Justice

If exhibits are to be transmitted to this court, counsel must comply with Rule 10(d), California Rules of Court.